

THE CASE:

P: Our son, Pat, is in 8th grade. He repeated 5th grade as per an IEP decision. He is eligible for special education services as a child with ASD, ID and SLI. He is in a FT AS program with related services and a FT PCA. He is basically non-verbal. He uses some signs to communicate. We often asked the school to identify and address all of his needs, but it did not. Pat made little to no progress on many of his goals. In some areas, he regressed. We also kept asking the school to provide intensive instruction in sign language. Instead, the school kept trying to teach him to use augmentative communication devices while giving him some sign language instruction. This was detrimental to his progress in learning functional signing. We know he would not learn formal ASL but rather, a form called Signed Pidgeon English to better meet his communication needs. We are claiming that Pat was denied FAPE during the following periods of time: his entire second year in 5th; his entire 6th grade; first half of 8th grade. We are seeking compensatory education from the SD.

S: We do not believe we denied Pat FAPE. We held multiple IEP meetings during the time periods in question. We adjusted his IEP as deemed appropriate based on data. We employed ABA techniques and modified curriculum and materials. We increased services when warranted. In fact, we had him placed for a few months in a partial hospitalization program with AS and related services when he showed increased aggressive behavior. We did not put a PBSP in place until it was determined by the team that his behaviors were interfering with his learning. We admit we did not address all his needs. Pat is a very complex student with a history of inconsistencies in learning. We agree he did not make progress in all areas which is why we often switched focus on skills being taught before mastery. We taught him to use the device to provide another means of communication due to Pat's difficulty manipulating his fingers to make correct signs. We believe we were responsive to his needs and provided FAPE.

THE QUESTIONS:

- 1. Did the District deny FAPE to the student?**
- 2. If so, is the student entitled to compensatory education?**

WHAT DO YOU THINK?

- 1. YES:** The District failed to provide FAPE and owes both compensatory education
- 2. NO:** The District provided Pat with FAPE and the District does not owe the student compensatory education.

~Please come to a conclusion by indicating your choice on your response cards. Please hold up your card when asked to share your answer with the group~